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PERMANENT MISSION OF PORTUGAL TO THE UNITED NATIONS

S T A TEM E N T

OF THE

REPRESENTATIVE OF PORTUGAL

MR. RUI QUARTIN-SANTOS

BEFORE THE

SPECIAL COMMITTEE ON THE SITUATION

WITH REGARD TO THE IMPLEMENTATION

OF THE DECLARATION ON THE GRANTING

OF INDEPENDENCE TO COLONIAL

COUNTRIES AND PEOPLES

ON THE QUESTION OF EAST TIMOR

New York, 8 August, 1991

MR. CHAIRMAN,

THE PORTUGUESE DELEGATION WISHES, FIRST OF ALL, TO GREET THIS SPECIAL COMMITTEE AND ITS MEMBERS - AND, IN PARTICULAR YOU, MR. CHAIRMAN, AMBASSADOR RICARDO ALARCON, FOR THE CONTRIBUTION YOU HAVE PERSONALLY GIVEN TO DECOLONIZATION MATTERS, DURING YOUR LONG EXPERIENCE AS REPRESENTATIVE OF YOUR COUNTRY TO THE UNITED NATIONS, - RECALLING THE WORK IT HAS UNDERTAKEN DURING THE LAST DECADES IN UPHOLDING THE RIGHTS OF THE COLONIAL PEOPLE AND IN PROMOTING THE ATTAINMENT OF A FULL MEASURE OF SELF-GOVERNMENT FOR THEM, IN ACCORDANCE WITH THE CHARTER AND WITH THE FUNDAMENTAL PRINCIPLES AND RESOLUTIONS OF THIS ORGANIZATION.

I WOULD LIKE TO RECALL PORTUGAL'S CONTINUOUS COLLABORATION WITH THIS COMMITTEE, IN ITS CAPACITY AS THE ADMINISTERING POWER RESPONSIBLE FOR THE NON-SELF-GOVERNING TERRITORY OF EAST-TIMOR, WHOSE DECOLONIZATION PROCESS IS STILL, UNFORTUNATELY, AWAITING COMPLETION, IN SPITE OF ALL THE RESOLUTIONS ADOPTED BY THE GENERAL ASSEMBLY AND BY THE SECURITY COUNCIL IN THIS REGARD.

MR. CHAIRMAN,

INTERNATIONAL EVENTS HAVE EXPERIENCED LATELY A DRAMATIC EVOLUTION THAT SEEM TO LEAD US FIRMLY TO THE UNIVERSAL ACCEPTANCE OF THE IMPERATIVE NEED TO RESPECT THE MOST FUNDAMENTAL RIGHTS AND FREEDOMS OF THE PEOPLES AND OF THE PERSONS AS WELL. EVERYWHERE WE ARE WITNESSING RAPID CHANGES BROUGHT ABOUT BY GROWING AND IRREVERSIBLE ASPIRATIONS TO SEE THOSE RIGHTS AND FREEDOMS EFFECTIVELY RECOGNIZED AND OBSERVED. THE EVOLUTION TAKING PLACE IN EUROPE, SOUTHERN AFRICA AND OTHER REGIONS AROUND THE WORLD IS POINTING TOWARDS THE ESTABLISHMENT OF MORE DEMOCRATIC FORMS OF GOVERNMENT; TO THE ERADICATION OF RACISM AND RACIAL DISCRIMINATION AS WELL AS THE REJECTION OF DICTATORIAL REGIMES. THIS EVOLUTION IS ALSO POINTING TO THE RECOGNITION OF THE PARAMOUNT IMPORTANCE FOR THE INTERNATIONAL COMMUNITY OF PREVENTING AND TO SUPPRESSING ANY ACTS OF AGGRESSION AGAINST ITS SMALLER AND WEAKER MEMBERS; TO FIGHT AGAINST HUMAN RIGHTS ABUSES, WHEREVER THEY MAY OCCUR; AND TO UPHOLD THE RIGHT OF THE PEOPLES TO SELF DETERMINATION.

THE IMPORTANCE OF THE UNITED NATIONS' ROLE HAS BEEN REMARKABLY ENHANCED, NOW WHEN IT SEEMS THAT IT IS FINALLY GETTING CLOSER, IN PRACTICAL TERMS, TO CARRYING OUT THE DUTIES AND OBLIGATIONS COMMITTED TO IT BY THE CHARTER. THE END OF THE SO CALLED POLITICAL "BLOCKS" AND THE NOW EXISTING CONSENSUS ON THE NEED TO OBSERVE, IN

A BALANCED AND COHERENT MANNER, THE PRINCIPLES, RULES AND METHODS INDISPENSABLE TO THE MAINTENANCE OF PEACE AND INTERNATIONAL SECURITY, HAVE BEEN CONDUCIVE TO A SIGNIFICANT REINFORCEMENT OF THE SECURITY COUNCIL'S EFFECTIVE AUTHORITY AND RESPONSIBILITIES. CONCRETE EXAMPLES ARE NOT NEEDED. THEY ARE IN EVERYONE'S MIND.

IT IS AGAINST THIS BACKGROUND THAT WE ARE FACING NOW THE SETTLEMENT OF THE QUESTIONS PERTAINING TO THE LAST NON-SELF-GOVERNING TERRITORIES, STILL EXISTING IN THIS LAST DECADE OF THE XX CENTURY; A DECADE DEVOTED BY THE UNITED NATIONS TO THE ERADICATION OF COLONIALISM.

THE INDEPENDENCE OF NAMIBIA, CULMINATING THE LONG STRUGGLE OF MANY YEARS TO WHICH THE UNITED NATIONS CONTRIBUTED IMMENSELY, TOOK ALREADY PLACE IN A NEW INTERNATIONAL ENVIRONMENT FAVORING THIS POSITIVE OUTCOME.

THE QUESTION OF WESTERN SAHARA, WHICH IS DRAGGING SINCE 1975, SEEMS ALSO TO BE GETTING CLOSER TO ITS FINAL SETTLEMENT, THROUGH NEGOTIATIONS THAT LEAD TO A PEACEFUL SOLUTION, PROVIDING, NAMELY, FOR HOLDING A REFERENDUM FOR SELF-DETERMINATION OF ITS PEOPLE. THE SECURITY COUNCIL, BY ITS RESOLUTION 690 (1991) HAS ALREADY ENDORSED THIS SETTLEMENT PLAN, AND A DEEP INVOLVEMENT OF THE UNITED NATIONS IN ORGANIZING AND SUPERVISING THE REFERENDUM IS PROVIDED FOR.

THIS EXAMPLE APPEARS SPECIALLY RELEVANT TO US AS IT IMPLIES THE RECOGNITION THAT AN INTERNATIONALLY ACCEPTABLE SETTLEMENT FOR THIS KIND OF PROBLEM MUST BE BASED ON THE EXERCISE OF THE RIGHT TO SELF-DETERMINATION OF THE PEOPLE CONCERNED. WE CONGRATULATE THE SECRETARY-GENERAL AND ALL PARTIES DIRECTLY INVOLVED IN THIS

ACHIEVEMENT, CULMINATING LONG AND PATIENT DIPLOMATIC EFFORTS.

THE INDEPENDENCE OF NAMIBIA AND THE AWAITED CONCLUSION OF THE DECOLONIZATION OF WESTERN SAHARA WILL LEAVE EAST TIMOR TO BE THE LARGEST AND MOST POPULOUS NON-SELF-GOVERNING TERRITORY.

EAST TIMOR IS NOW ON THE UNITED NATIONS AGENDA FOR MORE THAN FIFTEEN YEARS. SINCE ITS INVASION AND MILITARY OCCUPATION BY INDONESIA, WHICH HAS THENCEFORTH SOUGHT THE RECOGNITION BY THE UNITED NATIONS OF THIS FORCIBLE ANNEXATION, THE PEOPLE OF EAST TIMOR HAVE BEEN PREVENTED FROM FREELY CHOOSING THEIR POLITICAL FUTURE.

AS THE SECRETARY GENERAL REPORTEDLY TOLD TO THE DELEGATION OF THE "PARLIAMENTARIANS FOR EAST TIMOR", AT THEIR MEETING ON MARCH 25, THE QUESTION OF EAST TIMOR HAS EQUAL WEIGHT AT THE UNITED NATIONS WITH THE ALREADY SOLVED QUESTION OF NAMIBIA AND WESTERN SAHARA, ADDING THAT ALL TERRITORIES IN THE PROCESS OF DECOLONIZATION ARE OF EQUAL IMPORTANCE.

THE QUESTION OF EAST TIMOR INVOLVES THREE BASIC PRINCIPLES WHICH HAVE BEEN DETERMINANT IN SOME OF THE MOST SIGNIFICANT ACTIONS UNDERTAKEN RECENTLY BY THE UNITED NATIONS AND THE SECURITY COUNCIL, IN PARTICULAR.

THE FIRST OF THESE PRINCIPLES PERTAINS TO THE NON-USE OF FORCE AND THE ILLEGITIMACY OF MILITARY CONQUEST AS AN ACCEPTABLE CLAIM FOR TERRITORIAL ENLARGEMENT.

AS THE PRIME-MINISTER OF PORTUGAL STATED BEFORE THE PLENARY OF THE GENERAL ASSEMBLY, ON SEPTEMBER 26, 1990: "THE USE OF DOUBLE STANDARDS IN THE APPLICATION OF ESSENTIAL PRINCIPLES CAN LEAD TO

INCONSISTENT ACTION AND TO THE TOLERANCE OF POTENTIAL VIOLATORS AND CONSTITUTES A THREAT TO INTERNATIONAL PEACE AND SECURITY (...) IN THE CASE OF THE INVASION AND OCCUPATION OF EAST TIMOR, NON COMPLIANCE WITH THE RELEVANT RESOLUTIONS OF THE GENERAL ASSEMBLY AND THE SECURITY COUNCIL, COMBINED WITH ACCOMMODATION TO A DE-FACTO SITUATION, HAS SET A GRAVE INTERNATIONAL PRECEDENT, UNFORTUNATELY A PRECEDENT GIVEN FURTHER CREDENCE BY THE INVASION AND ANNEXATION OF KUWAIT".

IT CAN BE ARGUED THAT KUWAIT IS A SOVEREIGN STATE AND MEMBER OF THE UNITED NATIONS WHEREAS EAST TIMOR IS A NON-SELF-GOVERNING TERRITORY. BUT THIS FACT DOES NOT CHANGE IN ANY WAY THE ILLEGAL NATURE OF THE ACTS OF FORCE WHICH THEY WERE BOTH THE TARGET OF.

A NON-SELF-GOVERNING TERRITORY IS NOT A "RES NULLIUS" READY TO BE TAKEN OVER BY POWERFUL NEIGHBORS EAGER TO RESORT TO MILITARY MEANS PROVIDED THAT A GOOD PRETEXT BE GIVEN FOR SUCH AN ACTION. NON-SELF-GOVERNING TERRITORIES ARE CONTEMPLATED BY SPECIAL PROVISIONS OF THE CHARTER AND BY SOME OF THE MOST RELEVANT RESOLUTIONS ADOPTED BY THIS ORGANIZATION WHICH AIM AT UPHOLDING THE LEGITIMATE INTERESTS AND RIGHTS OF THEIR PEOPLES, INCLUDING THE RIGHT TO SELF-DETERMINATION AND TO TERRITORIAL INTEGRITY.

IT SHOULD BE RECALLED THAT THE SECURITY COUNCIL, THROUGH ITS RESOLUTION 384 (1975), ADOPTED UNANIMOUSLY, AFTER RECOGNIZING THE INALIENABLE RIGHT OF THE PEOPLE OF EAST TIMOR TO SELF-DETERMINATION AND INDEPENDENCE, DEPLORED THE INTERVENTION OF THE ARMED FORCES OF INDONESIA IN EAST TIMOR, CALLED UPON ITS GOVERNMENT TO WITHDRAW WITHOUT DELAY ALL ITS FORCES FROM THE TERRITORY; AND IT FURTHER

CALLED UPON ALL STATES TO RESPECT THE TERRITORIAL INTEGRITY OF EAST TIMOR. THIS WAS REAFFIRMED LATER BY RESOLUTION 389 (1976), BUT INDONESIA, UNTIL TODAY, HAS NOT COMPLIED WITH THEIR PROVISIONS.

THE SECOND PRINCIPLE INVOLVED IN THIS MATTER RELATES TO THE EXERCISE OF THE RIGHT OF SELF-DETERMINATION OF THE COLONIAL PEOPLE, STUBBORNLY DENIED HITHERTO TO THE EAST-TIMORESE.

PORTUGAL DOES NOT REJECT ITS SHARE OF RESPONSIBILITY FOR THE DIFFICULTIES AND TROUBLES WHICH AFFECTED IN THE BEGINNING THE PROCESS OF THE DECOLONIZATION OF EAST TIMOR. NONETHELESS, WHATEVER THE COLONIAL POWER'S FAULTS MAY BE, THEY CANNOT BE USED AS AN EXCUSE TO DENY TO THE COLONIAL PEOPLE AFFECTED THE RIGHTS THAT THEY ARE ENTITLED TO. OTHERWISE, WE WOULD COME TO THE ABSURD CONCLUSION THAT THE COLONIAL PEOPLE SHOULD END UP PAYING FOR THOSE FAULTS.

THE REAL QUESTION IS HOW TO ASSURE TO THE EAST-TIMORESE THE EXERCISE OF ITS RIGHTS, CONSIDERED TO BE "INALIENABLE" BY ALL THE RELEVANT UNITED NATIONS RESOLUTIONS. IN SPITE OF ALL THE ATTEMPTS INTENDED TO MAKE US BELIEVE THAT THE EAST-TIMORESE HAVE ALREADY "OPTED" FOR THE INTEGRATION INTO INDONESIA, THE QUESTION IS YET TO BE SETTLED SINCE THE UNITED NATIONS HAVE RIGHTEOUSLY REFUSE TO RECOGNIZE THE VALIDITY OF THE PRESENT "STATUS QUO" AND EAST TIMOR IS STILL CONSIDERED A NON-SELF-GOVERNING TERRITORY.

DURING THE PREVIOUSLY MENTIONED MEETING WITH THE "PARLIAMENTARIANS FOR EAST TIMOR", THE SECRETARY GENERAL IS SAID TO HAVE RECALLED THE APPLICABILITY TO EAST TIMOR NOT ONLY OF THE GENERAL ASSEMBLY'S AS WELL AS THE SECURITY COUNCIL'S RESOLUTIONS CONTEMPLATING IT IN PARTICULAR, BUT ALSO THE RESOLUTIONS 1514(XV)

AND 1541(XV), IN ACCORDANCE WITH WHICH ITS PEOPLE MUST BE CONSULTED.

THE EAST-TIMORESE, MUST, THUS, CHOOSE FREELY THEIR POLITICAL FUTURE, BUT THE POSITIONS OF BOTH INDONESIA AND PORTUGAL ON THIS FOCAL POINT, HAVE, SO FAR, BEEN SIGNIFICANTLY APART. THE TALKS THEY HAVE BEEN HOLDING, UNDER THE AUSPICES OF THE SECRETARY GENERAL, HAVE NOT AS OF YET BRIDGED THE GAP EXISTING BETWEEN THOSE TWO POSITIONS. ON OUR PART, WE REMAIN OPENED TO DISCUSS MODALITIES FOR THE EXERCISE OF THE RIGHT TO SELF-DETERMINATION, THAT MAY BE ACCEPTABLE TO THE EAST-TIMORESE.

LAST BUT NOT LEAST, THE THIRD PRINCIPLE AT STAKE IN THIS QUESTION, CONCERNS THE UPHOLDING OF BASIC HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS.

WE HAVE ALL LISTENED TO THE STATEMENTS JUST DELIVERED BY THE PETITIONERS BEFORE THIS COMMITTEE. UNFORTUNATELY THIS KIND OF STATEMENTS DO NOT GIVE US MUCH GROUND FOR OPTIMISM PERTAINING TO THE SITUATION PREVAILING IN EAST TIMOR, EVEN THOUGH WE WOULD LIKE TO BELIEVE THAT SIGNIFICANT PROGRESS WOULD HAVE BEEN MADE DURING THE LAST YEARS, AT LEAST ACCORDING TO OFFICIAL INDONESIAN STATEMENTS.

I AM NOT GOING TO RECALL WHAT HAS BEEN THE APPALLING EAST TIMOR'S HUMAN RIGHTS RECORD SINCE 1975. IN SPITE OF ALL DIFFICULTIES AND RESTRICTIONS, IT HAS BEEN THE OBJECT OF NUMEROUS TESTIMONIES, STATEMENTS, DOCUMENTS AND EVEN BOOKS. I WILL JUST REFER TO THE MOST IMPORTANT DATA AVAILABLE ON THE LATEST DEVELOPMENTS IN THIS FIELD SINCE WE MEET HERE LAST YEAR. I WOULD

LIKE TO KINDLY DRAW YOUR ATTENTION TO PARAGRAPHS 30 AND 31 OF THE WORKING PAPER PREPARED BY THE SECRETARIAT (DOC. A/AC.109/1072). THEY SUMMARIZE THE OBSERVATIONS RELATING TO THE HUMAN RIGHTS SITUATION IN EAST TIMOR CONTAINED IN "COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES FOR 1990, INDONESIA", PUBLISHED IN FEBRUARY 1991 BY THE UNITED STATES DEPARTMENT OF STATE, AND IN "EAST TIMOR: UPDATE ON HUMAN RIGHTS CONCERNS SINCE AUGUST 1990", PUBLISHED BY "AMNESTY INTERNATIONAL".

IN READING THESE TEXTS WE COME TO THE CONCLUSION THAT HUMAN RIGHTS ABUSES ARE STILL A CURRENT PRACTICE IN EAST TIMOR. THE REPORTS CLEARLY SHOW THE CONTINUATION OF EXTRAJUDICIAL EXECUTIONS, KILLINGS OF CIVILIANS DURING MILITARY OPERATIONS (15 IN 1990, ACCORDING TO THE STATE DEPARTMENT), "DISAPPEARANCES", MISTREATMENT, INCLUDING TORTURE AND BEATINGS, AND NUMEROUS SHORT-TERM DETENTIONS (THAT IMPLY INTERROGATION AND, ALLEGEDLY, PHYSICAL ABUSE OF THE DETAINEES), WHICH APPARENTLY WERE USED MAINLY FOR INTIMIDATION PURPOSES.

AN INCREASE OF MILITARY ACTIVITY, SPECIALLY IN THE REGIONS OF AINARO AND SAME (AND THE REINFORCEMENT OF INDONESIAN MILITARY PERSONNEL), WAS ALSO REPORTED BY DIFFERENT SOURCES, INDICATING THAT ARMED STRUGGLE STILL CONTINUES IN THE TERRITORY.

THE DEMONSTRATIONS HELD DURING HIS HOLINESS' VISIT IN OCTOBER 1990; ON THE OCCASION OF THE AMERICAN AMBASSADOR'S PRESENCE IN DILI IN JANUARY 1991; AND THEN ALSO AT THE END OF THE MASS MARKING THE 50TH ANNIVERSARY OF THE DIOCESE OF DILI, IN SEPTEMBER 1990, SHOW THE EXISTENCE OF A BROAD CIVILIAN OPPOSITION TO THE PRESENT SITUATION,

UNHEARD OF SOME YEARS AGO. THEIR ACTIONS OF PROTEST ARE MAINLY CARRIED OUT BY YOUNGSTERS, WHO, DUE TO THEIR AGE, HAVE NOT EXPERIENCED ANY OTHER REGIME BUT THE PRESENT ONE. AFTER FIFTEEN YEARS OF OCCUPATION WE ARE, THEREFORE, FORCED TO CONCLUDE THAT THE SITUATION PREVAILING IN EAST TIMOR, FAR FROM BEING FORGOTTEN AND CONSOLIDATED APPEARS INSTEAD AS BEING INCREASINGLY CONTESTED. RECENT EVENTS TAKING PLACE IN MANY DIFFERENT AREAS OF THE WORLD HAVE REMINDED US THAT SITUATIONS BASED ON FORCED SUPPRESSION OF THE LEGITIMATE RIGHTS AND LIBERTIES OF PEOPLE, AND OF THEIR CULTURAL, SOCIAL AND LINGUISTIC IDENTITY, ARE INHERENTLY FRAGILE AND BOUND TO FAILURE.

MR. CHAIRMAN,

FOLLOWING THE PATTERN RECORDED IN RECENT YEARS, THE SITUATION IN EAST TIMOR WAS THE OBJECT OF RESOLUTIONS ADOPTED BY INTERNATIONAL BODIES AND OF DECLARATIONS EMANATED FROM GOVERNMENTS OR MEMBERS OF PARLIAMENTS. THE SUB-COMMITTEE FOR THE PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES OF THE HUMAN RIGHTS COMMISSION, ADOPTED, ON AUGUST 30, 1990, RESOLUTION 1990/15. IN THIS RESOLUTION IT IS SAID THAT ACCORDING TO RELIABLE ALLEGATIONS, THE PEOPLE OF EAST TIMOR CONTINUE TO BE SUBJECTED TO GROSS VIOLATIONS OF HUMAN RIGHTS. THE SUB-COMMITTEE REJECTS THE

RESTRICTIONS IMPOSED BY LOCAL MILITARY AUTHORITIES UPON THE ACTIVITIES OF SPECIALIZED NON-GOVERNMENTAL ORGANIZATIONS. IT WELCOMES THE GOOD-OFFICES OF THE SECRETARY-GENERAL, EXERCISED WITH A VIEW TO EXPLORE THE AVENUES FOR FINDING A SETTLEMENT GUARANTEEING FULL RESPECT FOR HUMAN RIGHTS IN EAST TIMOR. A REQUEST ADDRESSED TO THE INDONESIAN AUTHORITIES TO FACILITATE THE ACCESS TO THE TERRITORY OF INTERNATIONAL HUMANITARIAN AND DEVELOPMENT ORGANIZATIONS IS ALSO INCLUDED IN THE RESOLUTION.

AFTER THE RESOLUTIONS ADOPTED BY THE EUROPEAN PARLIAMENT, THE ACP/EEC JOINT ASSEMBLY AND THE INTER-PARLIAMENTARY UNION, IT WAS NOW THE TURN OF THE PARLIAMENTARY ASSEMBLY OF THE COUNCIL OF EUROPE WHICH ON JUNE 28, APPROVED RESOLUTION 966 (1991) ON EAST TIMOR. THE ASSEMBLY, "INTER ALIA", CONDEMNED THE ANNEXATION OF EAST TIMOR BY INDONESIA; DEMANDED THAT SEVERAL MEASURES BE ADOPTED BY THE INDONESIAN GOVERNMENT TO PUT AN END TO THE PRESENT SITUATION THEREIN PREVAILING AND TO RESPECT THE RIGHT OF SELF-DETERMINATION OF ITS PEOPLE. FURTHERMORE, IT CALLED ON THE COUNCIL OF EUROPE MEMBER STATES TO EXERT PRESSURE WITH THE SAME PURPOSES. IT IS WORTH NOTICING THAT THIS RESOLUTION WAS UNANIMOUSLY APPROVED ON BEHALF OF PARLIAMENTARIANS OF ALL THE TWENTY FIVE MEMBER STATES OF THE COUNCIL.

REFERENCES REGARDING EAST TIMOR WERE INCLUDED IN THE STATEMENTS MADE IN THE NAME OF THE TWELVE EEC MEMBERS COUNTRIES BEFORE THE GENERAL ASSEMBLY AND THE HUMAN RIGHTS COMMISSION LAST FEBRUARY. ALLOW ME TO RECALL THE STATEMENT DELIVERED BEFORE THE HUMAN RIGHTS COMMISSION: "LES DOUZE SONT GRAVEMENT PRÉOCUPÉS PAR LA

SITUATION DES DROITS DE L'HOMME PRÉVALANT AU TIMOR ORIENTAL. BIEN QUE L'ACCEES À CERTAINS DISTRICTS RESTE INTERDIT, DES RAPPORTS NOUS PARVIENNENT TÉMOIGNANT QUE LES ARRESTATIONS DE COURTE OU LONGUE DURÉ, LES MAUVAIS TRAITEMENTS, LA TORTURE AINSI QUE DES TUERIES, LE NON-RESPECT DU DROIT DE SE REUNIR PACIFIQUEMENT ET DE LA LIBERTÉ D'EXPRESSION CONTINUENT À ÉTRE INFLIGÉS AUX HABITANTS DU TIMOR ORIENTAL PAR LES FORCES INDONÉSIENNES.

LES DOUZE SE FÉLICITENT DE L'INTENTION DU RAPPORTEUR SPÉCIAL SUR LA TORTURE DE SE RENDRE AU TIMOR ORIENTAL. PAR AILLEURS, ILS EXPRIMENT LEUR DÉSIR QUE LES ONG SOIENT AUTORISÉS À SE RENDRE SUR LE TERRITOIRE.

LA COMMUNAUTÉ ET SES ETAT MEMBRES EXPRIMENT L'ESPOIR QU'UNE SOLUTION EQUITABLE, GLOBALE, INTERNATIONALMENT ACCEPTABLE SOIT TROUVÉ EN CONFORMITÉ AVEC LES PRINCIPES DE LA CHARTE DES NATIONS UNIES, Y COMPRIS LE RESPECT DES DROITS DE L'HOMME ET DES LIBERTÉS FONDAMENTALES ET CECI EN TENANT PLEINEMENT COMPTE DES INTÉRÉTS LÉGITIMES DES TIMORAIS ORIENTAUX. LES DOUZE CONTINUENT À SUIVRE DE PRÉS L'EVOLUTION DE LA SITUATION DANS LE TIMOR ORIENTAL."

SOME OF THE BEST KNOWN AND CONSIDERED "MEDIA" MADE ALSO RECENTLY IMPORTANT AND SPECIAL REFERENCES TO THIS PROBLEM. I WOULD RECALL PARTICULARLY THE EDITORIALS OF "THE NEW YORK TIMES" MARKING THE 15TH ANNIVERSARY OF THE INVASION, ON DECEMBER 7, 1990, AND OF "THE TIMES" OF LONDON, ON LAST APRIL 20.

MR. CHAIRMAN,

ON FEBRUARY 22, 1991, THE PORTUGUESE GOVERNMENT SUBMITTED TO THE INTERNATIONAL COURT OF JUSTICE AN APPLICATION INSTITUTING

PROCEEDINGS AGAINST AUSTRALIA CONCERNING EAST TIMOR.

IN DOING SO, MY GOVERNMENT ACTED IN CONSISTENCY WITH ITS PREVIOUS STANCES REGARDING AUSTRALIA'S NEGOTIATION AND SIGNATURE OF AN AGREEMENT ESTABLISHING A "ZONE OF COOPERATION" IN THE MARITIME AREA KNOW AS "TIMOR GAP", LOCATED BETWEEN EAST TIMOR AND NORTHERN AUSTRALIA. THOSE STANCES WERE MADE OFFICIALLY KNOWN TO THE UNITED NATIONS, AND THE LAST ONE IS CONTAINED IN DOCUMENT A/46/97-S/22285 OF FEBRUARY 22, 1991.

PORTUGAL HAS THUS LIVED UP TO THE RESPONSIBILITIES INCUMBENT UPON IT AS EAST TIMOR'S ADMINISTERING POWER, ACTING TO EFFECTIVELY UPHOLD THE RIGHTS OF ITS PEOPLE TO SELF-DETERMINATION, TERRITORIAL INTEGRITY AND UNITY , AND TO A PERMANENT SOVEREIGNTY OVER ITS WEALTH AND NATURAL RESOURCES.

THE APPLICATION SUBMITTED TO THE INTERNATIONAL COURT OF JUSTICE IS REPRODUCED IN THE ANNEX TO THE WORKING PAPER PREPARED BY THE SECRETARIAT (DOC. A/AC.109/1072 CIT.), AND I WOULD KINDLY REQUEST THE COMMITTEE'S ATTENTION TO ITS TEXT.

MR. CHAIRMAN,

THE NEW ATMOSPHERE PREVAILING IN THE INTERNATIONAL RELATIONS AND THE RENEWED ROLE OF THE UNITED NATIONS IN WORLD AFFAIRS SHOULD BE COMBINED TO GIVE A NEW IMPETUS TO THIS QUESTION, LEADING IT TO A SETTLEMENT BEING IN CONFORMITY WITH THE UNIVERSALLY ACCEPTED

UNITED NATIONS' PRINCIPLES IN THIS FIELD AND WITH THE RESOLUTIONS OF ITS MAIN BODIES.

INDONESIA AND PORTUGAL SEEM NOW TO HAVE TAKEN, VERY RECENTLY, A RIGHT STEP INTO THAT DIRECTION BY APPROVING THE TENTATIVE AGREEMENT, REACHED DURING THE TALKS HELD UNDER THE AUSPICES OF THE SECRETARY-GENERAL, CONCERNING THE TERMS OF REFERENCE OF THE PROPOSED VISIT BY A PORTUGUESE PARLIAMENTARY DELEGATION TO EAST TIMOR.

WE SINCERELY HOPE THAT THIS VISIT - TO BE UNDERTAKEN, IN OUR VIEW, AS SOON AS POSSIBLE - MAY "HELP TO CREATE AN ATMOSPHERE CONDUCIVE TO ACHIEVING A COMPREHENSIVE AND INTERNATIONALLY ACCEPTABLE SOLUTION", AS THE SECRETARY-GENERAL WROTE IN HIS LAST PROGRESS REPORT TO THE GENERAL ASSEMBLY (DOC. A/45/507, 17/9/1990).

HAVING THIS IN MIND, WE THINK IT INDISPENSABLE THAT ALL PARTIES SHOULD NOW ENGAGE THEMSELVES - IN GOOD-FAITH AND WITH A CONSTRUCTIVE SPIRIT - IN CREATING ALL THE NECESSARY PRACTICAL CONDITIONS IN ORDER TO DULY PURSUE THE MAIN OBJECTIVE ASSIGNED TO THE VISIT, WHICH IS TO OBTAIN FIRST-HAND INFORMATION ABOUT THE SITUATION. MY DELEGATION IS CONVINCED THAT PROVIDED THAT THAT SPIRIT WILL PREVAIL, ALL THOSE CONDITIONS WILL BE CREATED AS APPROPRIATE.

TO CONCLUDE, MR. CHAIRMAN, I WOULD LIKE TO REITERATE PORTUGAL'S FIRM COMMITMENT TO COOPERATE FULLY WITH THE SECRETARY-GENERAL IN THE EXERCISE OF HIS GOOD-OFFICES, THUS DISCHARGING THE MANDATE ENTRUSTED TO HIM BY THE UNITED NATIONS GENERAL ASSEMBLY RESOLUTION 37/30.

IN ORDER TO ASSIST HIM IN HIS TASK, IT IS OUR BELIEF THAT TALKS ON THE VERY SUBSTANCE OF THE QUESTION SHOULD RESUME AFTER THE AFORESAID VISIT. I WOULD ADD IN THIS REGARD THAT MY GOVERNMENT IS FIRMLY PERSUADED THAT ONLY THROUGH COMPLIANCE WITH THE FUNDAMENTAL PRINCIPLES AND RESOLUTIONS OF THE UNITED NATIONS, AND WITH RESPECT FOR THE RIGHT TO SELF-DETERMINATION OF ITS PEOPLE, CAN REAL PROGRESS BE MADE TOWARDS REACHING AN INTERNATIONALLY ACCEPTABLE SETTLEMENT TO THE QUESTION OF EAST TIMOR. PEACE CAN ONLY BE ACHIEVED BY RESTORING THE RULE OF LAW THUS ALLOWING THE MOST ELEMENTARY RIGHTS OF THE PEOPLE AS A WHOLE AND OF THE INDIVIDUALS TO BE FULLY EXERCISED.

IN A FINAL SHORT REMARK, I SHOULD LIKE TO MENTION THE FACT THAT THE SECURITY COUNCIL IS TAKING UP THIS MORNING THE APPLICATIONS TO MEMBERSHIP TO THE UNITED NATIONS OF FOUR COUNTRIES. TWO OF THEM ARE SMALL FORMER COLONIAL COUNTRIES OF THE PACIFIC AREA. THIS DEMONSTRATES, AS IF IT WERE NEEDED, THAT, HOWEVER SMALL AND REMOTE,ALL COLONIAL COUNTRIES AND PEOPLES ARE ENTITLED TO THE SAME RIGHTS AND TO PARTICIPATE FULLY IN THE INTERNATIONAL COMMUNITY.